TO
MONTANA BOARD OF OIL AND GAS CONSERVATION
2535 ST. JOHNS AVENUE
BILLINGS, MONTANA 59102



JAN 1 1 2019

#### REQUEST FOR TRADE SECRET EXEMPTION

MONTANA BOARD OF OIL & GAS CONSERVATION • BILLINGS

1.	Classification of Requesting Party						
	☐ Operator ☐ Service Company ☐ Other – Specify						
2. Full name of the Owner, Operator, or Service Company Rockwater Energy Solutions, Inc.							
3.	Address 515 Post Oak Blvd., Suite 200, Houston, TX 77027 713-235-9564 gruff@rockwaterenergy.com						
	(Address) (City) (State) (Zip Code) (Telephone Number)						
4.	82-10-603, MCA requires that an owner, operator, or service company provide the complete disclosure of fracturing fluid. This must include the chemical compound name and the chemical abstracts service (CAS) registry number of the ingredients, including any hazardous components listed on a material safety data sheet as defined in 50-78-102, MCA, the product name, and the type of additive used. In limited situation the identity of the components of the fracturing fluid may be exempt from public disclosure as a "trade secret" under the criteria in 30-14-402, MCA.						
	I am requesting that the identity of a fracturing fluid component qualify for non-disclosure as a trade secret,						
	Chemical Family associated with the Chemical Constituent acetal CTPW - 1005						
	In order to claim that the identity of the fracturing fluid component is entitled to protection as a trade secret, understand that I must provide specific information regarding each of the questions set forth in the MBOGC Trade Secret Guidelines. I have attached separate pages setting forth information in response to the questions set forth in the Guidelines.						
	CERTIFICATE						
	I declare under penalties of perjury that this request and supporting information have been examined by me and to the best of my knowledge are true, correct and complete.  Signature						
	Greg Ruff, Manager of Environmental Compliance  Print name and title						
	FOR STAFF USE ONLY:  APPROVED: Yes No Signature Title Date						

TO

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<u>,</u>	☐ Operator					
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	I am requesting that the identity of a fracturing fluid component qualify for non-disclosure as a trade secret.  Chemical Family associated with the Chemical Constituent  To proposed CFPW -1005					
	In order to claim that the identity of the fracturing fluid component is entitled to protection as a trade secret, I understand that I must provide specific information regarding each of the questions set forth in the MBOGC Trade Secret Guidelines. I have attached separate pages setting forth information in response to the questions set forth in the Guidelines.					
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3. Address 515 Post Oak Blvd., Suite 200, Houston, TX 77027 713-235-9564 gruff@rockwate						
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	I am requesting that the identity of a fracturing fluid component qualify for non-disclosure as a trade secret.					
	Chemical Family associated with the Chemical Constituent $Acid CTPW-1005$					
	Chemical Family associated with the chemical constituent					
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2.	Full name of the Owner, Operator, or Service Company Rockwater Energy Solutions, Inc.
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	I am requesting that the identity of a fracturing fluid component qualify for non-disclosure as a trade secret.  Chemical Family associated with the Chemical Constituent Amumium Compound CFPW -1005
	In order to claim that the identity of the fracturing fluid component is entitled to protection as a trade secret, I understand that I must provide specific information regarding each of the questions set forth in the MBOGC Trade Secret Guidelines. I have attached separate pages setting forth information in response to the questions set forth in the Guidelines.
	CERTIFICATE
	I declare under penalties of perjury that this request and supporting information have been examined by me and to the best of my knowledge are true, correct and complete.
	Signature  Greg Ruff, Manager of Environmental Compliance  Print name and title  FOR STAFF USE ONLY:  APPROVED: Yes No Signature  Title Date

TO

2535 ST. JOHNS AVENUE

BILLINGS, MONTANA 59102

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MONTANA BOARD OF OIL & GAS CONSERVATION • BILLINGS

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	I am requesting that the identity of a fracturing fluid component qualify for non-disclosure as a trade secret.  Chemical Family associated with the Chemical Constituent Phenol CTPW -1005						
	In order to claim that the identity of the fracturing fluid component is entitled to protection as a trade secret, I understand that I must provide specific information regarding each of the questions set forth in the MBOGC Trade Secret Guidelines. I have attached separate pages setting forth information in response to the questions set forth in the Guidelines.						
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	Print name and title  FOR STAFF USE ONLY:  APPROVED: Yes No Signature  Print name and title  Approved: 117/19  Title Date						

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**BILLINGS, MONTANA 59102** 



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MONTANA BOARD OF OIL & GAS CONSERVATION • BILLINGS

#### REQUEST FOR TRADE SECRET EXEMPTION

☐ Other – Specify

1. Classification of Requesting Party

⊠ Service Company

☐ Operator

Full name of the Owner, Operator, or Service Company Rockwater Energy Solutions, Inc.						
Address	515 Post Oak Blvd.,	, Suite 200, Houston, TX 7702	27 713-235-956	54 gruff@roc	kwaterenergy.com	
	(Address)	(City)	(State)	(Zip Code)	(Telephone Number	
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I am requesting that the identity of a fracturing fluid component qualify for non-disclosure as a trade sec Chemical Family associated with the Chemical Constituent CFPW-100 In order to claim that the identity of the fracturing fluid component is entitled to protection as a trade secunderstand that I must provide specific information regarding each of the questions set forth in the MBC Trade Secret Guidelines. I have attached separate pages setting forth information in response to the queset forth in the Guidelines.						
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Full nar	me of the	e Owner, O	perator, or S	ervice Compan	Rockwater En	ergy Solutions, I	nc.
Address 515 Post Oak Blvd., Suite 200, Houston, TX 77027 713-235-9564 gruff@rockwaterenergy.com							
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I am red	questing <sup>-</sup>	that the ide	entity of a fra	acturing fluid co	mponent qualify fo	r non-disclosure	e as a trade secret.
Chemica	al Family	associated	with the Ch	emical Constitu	ent ether	CIPW-	1005
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underst Trade Se	and that ecret Gui	I must prov delines. I h	vide specific	e fracturing fluic information reg d separate page	l component is entit	questions set fo	on as a trade secret, I rth in the MBOGC nse to the questions
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	Chemical Family associated with the Chemical Constituent ethylene CTPW -1005						
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# PUBLIC GUIDELINE RESPONSE VERSION ROCKWATER ENERGY SOLUTIONS

CIPW-1005

1. <u>Public Disclosure</u>: Rockwater's Product CIPW-1005 is a proprietary corrosion inhibitor product, the disclosure of which would cause competitive harm to Rockwater. Specifically, such disclosure would permit competitors to determine the precise chemical identity and composition of this proprietary product. Rockwater has carefully reviewed this product to ensure that only the components that represent trade secret components are protected. To Rockwater's knowledge, the confidential information (including the chemical name and CAS number) do not appear in any public source. In addition, this information has not been previously disclosed on the FracFocus database by Rockwater or, to Rockwater's knowledge, any other third party.

The identity of the confidential information and its use in Product CIPW-1005 has not been publicly disclosed by Rockwater or, to Rockwater's knowledge, anyone else: (i) pursuant to any federal, state, or local law or regulation; (ii) in any professional trade publication; or (iii) through any other media or publications available to the public or Rockwater's competitors. [ ]

- 2. Safeguarding Steps: Rockwater has treated the exact chemical identity of its Product CIPW-1005 as a trade secret, and has taken (and continues to take) appropriate and required steps designed to ensure that no unauthorized disclosure of such information is made. Internally, Rockwater employees have been trained on the importance of protecting the company's confidential information and trade secrets. Further, information about the chemical composition of Rockwater's products is maintained [ ]. Only employees who need to know such information are permitted access to this information. When such information must be disclosed externally, for example to complete a Safety Data Sheet (SDS) or to satisfy applicable regulatory requirements, it is disclosed pursuant to an executed Non-Disclosure Agreement. We understand that our customers similarly treat such information with the highest degree of confidentiality.
- 3. Other Regulatory Review: No other federal, state, tribal or local regulatory body has determined that the confidential information (including its use in Product CIPW-1005) is not entitled to protection from public disclosure or trade secret or confidential commercial information. To Rockwater's knowledge, the trade secret components do not require full disclosure under any applicable Federal laws. The OSHA Hazard Communication Standard (29 CFR 1910.1200) requires manufacturers to disclose on the SDS any hazardous components present at greater than 1.0% and for carcinogenic components at 0.1%. [ ]
- 4. Commercial Value: In the process of developing CIPW-1005, the [QUATERNARY AMMONIUM CHLORIDES, NONIONIC SURFACTANTS], and MIDAZOLINE (see color coding)] proprietary ingredients not disclosed on the safety data sheet in CIPW-1005 work synergistically with the disclosed &

undisclosed components on the safety data sheet when applied to various oilfield conditions in order to [ ] and the product to work as intended [ ]. Since every corrosion inhibitor has unique characteristics, a universal chemical treatment is not possible and more niche products result. [] Through the selection of raw materials, specific blend ratios, subsequent lab and field testing and commercialization we have generated core, proprietary chemistries that provide superior, cost-effective results for our clients. These novel chemistries provide a competitive edge for our group and helps to support further development to meet client and regulatory requirements. Disclosure of the trade secret components of Product CIPW-1005 would negatively impact Rockwater's competitive advantage in the marketplace, and would allow competitors to unfairly benefit from Rockwater's substantial investment of money, corporate resources, ingenuity, and product development. Development of a critical component of a production chemical requires a detailed knowledge of the product's properties, its interaction with other components of the same fluid and the formation being treated, as well as the safety and environmental factors attendant to such fluid. In carrying out its own development activities, Rockwater employs highly skilled and specialized personnel and has expended considerable sums of money to design and construct proper manufacturing facilities and processes. Rockwater has also benefited from years of selling this product and "lessons learned" from its loyal customers. These efforts have yielded a proprietary composition for Product CIPW-1005 that is both novel and unknown to the general industry. Disclosure of this information would unduly harm Rockwater's business and adversely impact the competitive advantage it has spent years to develop and cultivate.

5. Systems Approach: Rockwater has gone to appropriate lengths to protect its confidential information from public disclosure. The use of a "systems approach" would not adequately protect the confidentiality of the product formula in this instance. A trained person skilled in the art of product development for these types of chemical technologies could easily decipher which components are associated with Product CIPW-1005. A "systems approach" to disclosure would also give a trained person an acceptable concentration range to achieve the key performance requirements. A review of such public information would permit Rockwater's competitors to replicate Rockwater's technologies and to commercialize them, eliminating the value of Rockwater's commercial investment and providing a disincentive for future investment.

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#### TABLE TWO - PUBLIC VERSION

Product Name: CIPW-1005

METHANOL	67-56-1	30-60%
QUATERNARY AMMONIUM CHLORIDES	Confidential	<b>1-5%</b>
NONIONIC SURFACTANTS	Confidential	1-5%
ISOPROPANOL	67-63-0	1-5%
IMIDAZOLINE	<b>Confidential</b>	7-13%
Nonhazardous Components	Confidential	30-60%

#### **PUBLIC VERSION**

In the process of developing CIPW-1005, the [] phosphonate not disclosed on the safety data sheet in CIPW-1005 work synergistically with the disclosed & undisclosed components on the safety data sheet when applied to various water conditions in order to help the [] and the product to work as intended []. Since every water condition has unique characteristics, a universal chemical treatment is not possible and more niche products result. [] Through the selection of raw materials, specific blend ratios, subsequent lab and field testing and commercialization we have generated core, proprietary chemistries that provide superior, cost-effective results for our clients. These novel chemistries provide a competitive edge for our group and helps to support further development to meet client and regulatory requirements. The prime use of CIPW-1005 is as a corrosion inhibitor. Rockwater has also benefited from years of selling this product and "lessons learned" from its loyal customers. These efforts have yielded a proprietary composition for Product CIPW-1005 that is both novel and unknown to the general industry. Disclosure of this information would unduly harm Rockwater's business and adversely impact the competitive advantage it has spent years to develop and cultivate.



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